

SENATE BILL NO. 320

INTRODUCED BY S. KITZENBERG

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE DEPARTMENT OF ADMINISTRATION, ~~WHEN~~
5 ~~PURCHASING NEW VEHICLES, TO ENSURE THAT A MINIMUM OF 5 PERCENT OF ALL NEW VEHICLES~~
6 ~~PURCHASED TO PURCHASE 10 VEHICLES THAT~~ ARE POWERED BY RENEWABLE FUELS; REQUIRING
7 THAT AN AGENCY REQUESTING THE PURCHASE OF A NEW VEHICLE BE GIVEN THE OPTION OF
8 REQUESTING A VEHICLE POWERED BY RENEWABLE FUELS; ~~REQUIRING THAT~~ ALLOWING A VEHICLE
9 PROVIDED FOR THE OFFICIAL USE OF THE GOVERNOR OR LIEUTENANT GOVERNOR TO BE POWERED
10 BY RENEWABLE FUELS; DEFINING "RENEWABLE FUELS"; REQUIRING A REPORT TO THE LEGISLATURE;
11 AND PROVIDING ~~AN~~ A CONTINGENT EFFECTIVE DATE AND A CONTINGENT TERMINATION DATE."
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13 WHEREAS, the United States depends on foreign suppliers for more than 50% of the transportation
14 fuel consumed in this country; and

15 WHEREAS, the federal Energy Policy Act of 1992 requires many government fleets to phase into
16 alternatively fueled vehicles in order to decrease dependence on foreign oil, and Montana is exempt from
17 the requirement because of its sparse population; and

18 WHEREAS, vehicles powered by alternative fuels, including fuel referred to as "E-85", which is a
19 blend of 85% ethanol and 15% gasoline, are capable of operating on more than one fuel, including
20 gasoline, and can be purchased at automobile dealerships without special order; and

21 WHEREAS, the federal Clean Air Act has mandated that a certain percentage of vehicles in certain
22 communities with polluted air must use clean fuels to control automobile emissions, and the U.S.
23 Department of Energy has activated a Clean Cities Program to assist communities in improving air quality;
24 and

25 WHEREAS, ethanol is a clean-burning, renewable fuel, and E-85 fuel is increasingly available; and

26 WHEREAS, the Governor has stated a desire to find ways to add value to commodities raised in
27 Montana, and ethanol production is a value-added business; and

28 WHEREAS, Montana citizens and state agency personnel need to show leadership and
29 responsibility in order to make our nation more energy independent.
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1 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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3 NEW SECTION. Section 1. Vehicles powered by renewable fuels -- REPORT TO LEGISLATURE. (1)
4 Beginning July 1, 2001, the department is required, ~~when purchasing new vehicles for any use by a state~~
5 ~~agency, to ensure that not less than 5% of all new vehicles purchased~~ TO PURCHASE FIVE VEHICLES in each
6 fiscal year THAT are powered by renewable fuels. THE VEHICLES MUST BE ASSIGNED TO THE DEPARTMENT OF
7 TRANSPORTATION'S MOTOR POOL.

8 (2) Whenever an agency of state government requests the department to purchase a vehicle for
9 the agency or on the agency's behalf, the agency director or the director's designee must be given the
10 opportunity to specifically request that the vehicle to be purchased is powered by renewable fuels.

11 (3) If the governor or lieutenant governor is provided a vehicle for official state business, the
12 vehicle ~~must~~ MAY be powered by renewable fuels.

13 (4) For the purposes of this section, "renewable fuels" includes ethanol-blended fuel, as defined
14 in 2-17-414, and other fuels, referred to by various names, that are composed of at least 85% anhydrous
15 ethanol.

16 (5) THE DEPARTMENT OF TRANSPORTATION SHALL REPORT TO THE 58TH LEGISLATURE, AS PROVIDED IN
17 5-11-210, ON THE FEASIBILITY OF USING VEHICLES POWERED BY RENEWABLE FUELS.

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19 NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an
20 integral part of Title 18, and the provisions of Title 18 apply to [section 1].

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22 NEW SECTION. Section 3. Effective CONTINGENT EFFECTIVE date. [This act] is effective ~~July 1, 2001~~
23 30 DAYS AFTER THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION CERTIFIES TO THE GOVERNOR, SENDING A COPY
24 OF THE CERTIFICATION TO THE SECRETARY OF STATE AND THE CODE COMMISSIONER, THAT AN ETHANOL PLANT IS
25 OPERATIONAL AND PRODUCING FUEL IN MONTANA.

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27 NEW SECTION. SECTION 4. ~~TERMINATION~~ CONTINGENT TERMINATION. [THIS ACT] ~~TERMINATES JUNE 30,~~
28 2003 2 YEARS AFTER [THE EFFECTIVE DATE OF THIS ACT].

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